

HOUSE No. 1670

By Mr. Nyman of Hanover, petition of Robert J. Nyman relative to the fraudulent redemption of empty beverage containers subject to the beverage law. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT TO PREVENT FRAUDULENT REDEMPTION OF EMPTY BEVERAGE CONTAINERS SUBJECT TO THE BEVERAGE LAW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 323 of Chapter 94 of the Massachusetts
2 General Laws, is hereby amended by adding the following at the
3 end thereof:
4 J. All vending machines in the Commonwealth which accept
5 and redeem empty beverage containers subject to this Section
6 from consumers, shall be designed to identify and redeem only
7 beverage containers upon which a refund value is imposed and
8 collected, and to reject beverage containers which are not subject
9 to a refund value. No such vending machine may be sold or leased
10 to, or otherwise placed in operation, at a dealer or redemption
11 center location after May 1, 2005, which is not in compliance with
12 this section. Any such vending machines operating at dealer or
13 redemption center locations in the Commonwealth prior to May 1,
14 2001 may continue in operation, but must be re-designed by the
15 machine manufacturer to comply with this section. The Secretary
16 of Environmental Affairs shall determine the schedule for imple-
17 menting compliance by existing machines based upon a finding by
18 the Secretary that the technology is available for the machine to
19 properly identify and redeem only beverage containers with a
20 refund value and reject all other beverage containers. In no event
21 shall this subsection be interpreted to authorize the Secretary to

22 mandate any additional labeling so that vending machines can
23 better identify Massachusetts containers.

24 (d) The commissioner shall collect an appointment fee from
25 each insurance producer, in the amount prescribed by section 14.
26 The commissioner may establish a procedure for administrative
27 purposes by which a company remits payment of said fee on
28 behalf of an appointee.

1 SECTION 2. Chapter 175, Section 14, of the General Laws, as
2 most recently amended by Section 444 of Chapter 26 of the Acts
3 of 2003, is hereby amended by striking out, in clause 24, the word
4 “agent” and replacing it with the following:— producer.